



RECD 10/29/01

OFFSHORE OPERATORS COMMITTEE

October 25, 2001

Department of the Interior
Minerals Management Service
Mail Stop 4020
381 Elden Street
Herndon, VA 20170

Attention: Rules Processing Team (RPT)

30 CFR 250
FR Vol. 66, No. 167; August 28, 2001
Safety Measures & Procedures for
Pipeline Modifications & Repairs
Proposed Rule

Gentlemen:

The Offshore Operators Committee (OOC) appreciates the opportunity to provide written comments on the proposed rulemaking pertaining to safety and pollution prevention procedures prior to implementing pipeline repairs or modifications. OOC commends the MMS for revising its offshore operating regulations to promote safe operations on the OCS.

The OOC is a trade organization of 109 members and associates that represents virtually all of the oil and gas production in the Gulf of Mexico (GOM). OOC comments are made without prejudice to any member's right to have or express different or opposing views.

The attached comments represent a consolidation of comments obtained from participating companies in reviewing the proposed rule making. Individual companies may also be submitting comments addressing this rulemaking.

If you have any questions or need additional information regarding these comments, contact the undersigned at 504-561-2427, Steve Brooks at 504-561-4753, or Mark Davis at 504-728-0198

Yours truly,

Allen J. Verret
Executive Director

**OFFSHORE OPERATORS COMMITTEE COMMENTS
ON MMS PROPOSED RULE, AUGUST 28, 2001
FEDERAL REGISTER NOTICE VOL. 66, NO. 167**

GENERAL COMMENTS:

The Offshore Operators Committee recognizes the need for the MMS to ensure pipeline maintenance, modifications and repairs activities are performed in a safe and environmentally sound manner. Furthermore, it is understandable for the MMS to desire detailed work procedures for major modifications and repairs to pipelines when welding, cutting, burning or other complex mechanical operations are preformed.

However, there are concerns with the need and practicality of the MMS to review detailed safe work plans in addition to work procedures for all repair and modification activities when a pipeline is basically open to the atmosphere. The inclusion of the requirement to submit a application to include a detailed written plans raises concerns regarding the MMS ability review and respond timely. Specifically, a timely approval is often necessary for those situations that occur with little or no prior indication, as is case with most pipeline repairs.

Additional concerns have been raised as to the MMS's ability to handle increased volume of applications for those activities such as replacing valves, gaskets, and installing blind flanges and skillets, which currently do not require approval, however will apparently require approval under the proposed rule. These ongoing maintenance and repair activities are handled as part of the daily overall maintenance and operation of the production facility. Furthermore, it is our opinion that the requirement to submit applications for the minor maintenance activities will unduly subject the operators to an increase of burdensome paperwork. As a result, routine preventative maintenance and other minor repair activities potentially could be delayed, thereby impacting the operator's ability to maintain the highest degree of safety while continuing production activities. That is, an operator may delay routine maintenance due to the onerous application process and the time necessary to obtain approval. It is not suggested that the operators would overlook safety when performing these activities, but adhere to established industry standards and practices insuring the work is performed in safe and workmanlike manner. Therefore it is recommended that the requirement to submit applications for routine maintenance activities and minor repairs, such as replacing valves, gaskets, and installing blind flanges and skillets be eliminated. If it is not the intent of the proposed rule to require an application for these type activities, the proposed rule should be revised as to clearly define what constitutes a modification or repair requiring an application submittal.

Furthermore, we recommend that the proposed rule allow for performance-based standards currently employed in other sections of 30 CFR Part 250 for major pipeline repairs and modifications. The proposed rule requires a "plan" be submitted detailing such information as operating history, development of procedures to inform facility workers in advance of significant aspects of the operation, development of procedures

and safeguards to ensure the pipeline remains isolated, etc. In lieu of these prescriptive requirements, a more performance-based rule would provide guidelines, standards, and data to be considered and review prior to conducting repairs or modifications to a pipeline. This performance-based approach could likewise be applied when performing routine pipeline maintenance activities, whereby minimal standards and established industry safe work practices could be set forth as recommended guidance in the rule.

The recommended change in the rule would not eliminate the requirement to submit an application detailing proposed repair or modification procedures, equipment, materials and other repair specific information for major modifications and repairs. It would however place the onus on the operator to ensure the activity is performed in a safe and workmanlike manner. This could be accomplished through the use of industry practices and guidelines such as Job Safety Analysis, Welding, Burning and Hot-Tapping Plans, Simultaneous Operation Plans, Safety and Environmental Management Plans, etc. Although the Welding, Burning and Hot-Tapping Plan is an MMS approved document, the majority of operating companies employ many of the other safe practices and procedures provided for in many of the aforementioned programs. The performance-based rule would encourage the use of these other industry-supported programs and practices, thereby leading to overall safer operations. Therefore, it is recommended that the applicable, company stewarded safe work programs be referenced in the application, rather than providing a detailed written plan in the application.

SPECIFIC COMMENTS:

- **§ 250.1000 (b) What are the general requirements for pipelines and pipeline rights-of-way?**

The proposed text should be re-written to read as follows:

(b) *The pipeline operator of record or right-of-way holder- must submit . . .*

Rationale: The proposed text is vague and confusing.

(b) The pipeline operator of record or right-of-way holder- must submit . . . an application before you conduct any of the following operations:

- (1) Install a pipeline;
- (2) Modify a pipeline;
- (3) Cut into a pipeline or open a pipeline at a flange for the purposes of *conducting extensive modifications or repairs on a pipeline*; or . . .

Rationale: The proposed text is vague as to what constitutes a repair or modification requiring an application. See general comments for a more detailed explanation.

- **§ 250.1001 (b): Definitions.**

It is recommended that this section paragraph be expanded to define a pipeline modification and pipeline repair.

Rationale: See above comments.

Additionally, the definition of "Out-of- Service pipelines" should be revised to read as follows:

Out-of-Service pipelines are those pipelines that have not been used *in the transportation of produced product or other material used in production operation* for more than 30 days, *and have not been isolated from the properly maintained required safety devices.*

Rationale: The phrase "*produced product or other material used in production*" was introduced since pipelines in use today transport more than oil, natural gas, produced water and sulfur (e.g. glycol, diesel, methanol etc). Additionally, active transportation should not be the only criteria by which a pipeline remains active. If a pipeline is not isolated from the required safety devices, remains under pressure, and is maintained in a manner that is consistent with a pipeline transporting produced product or other material used in production, it should not be considered out-of-service. Many pipelines currently in operation are used to intermittently flow product as conditions dictate. Requiring the operator to notify the MMS each time a pipeline does not transport produced product or other material used in production for more than 30 consecutive days, and then subsequently notify when it is again used to transport, serves no technical or safety related purpose and places an additional burden on the operator.

- **§ 250.1007: What to include in applications.**

It is strongly recommended that this paragraph be revised to allow for a performance-based approach to regulate major pipeline repairs and modifications.

Rationale: The requirement to submit a written "plan" to consider and develop details not specific relating to the repair or modification procedures will unduly subject pipeline operators to an increase of burdensome paperwork. Much of the proposed data and procedures required in the "plan" are part of many industry-backed programs and process currently employed by the majority of pipeline operators. Please see the general comments for a more thorough explanation of our position in this matter.

§ 250.1008: Reports.

Paragraph (e) should be revised to read as follows:

(e) You must notify the regional Supervisor:

- (1) *Prior to the intended repair of any pipeline, and*
- (2) *Within 24 hours of the failure of a pipeline requiring repair.*

All such notification shall . . .

Rationale: The proposed rule as written is vague. We are unsure of the meaning or purpose of the phrase "within 24 hours after you decide that a pipeline repair is necessary..."